IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ABBOTT CARDIOVASCULAR SYSTEMS INC. and ABBOTT LABORATORIES INC.,	)	
Plaintiffs,	)	C.A. No. 98-80 (SLR) (Consolidated with C.A. No. 98-314 (SLR) and C.A. No. 98-316 (SLR))
v.	)	
MEDTRONIC VASCULAR, INC. and MEDTRONIC USA, INC.,	)	**REDACTED PUBLIC VERSION**
Defendants.	)	

DEFENDANTS' NOTICE OF DEPOSITION PURSUANT TO FED. R. CIV. P. 30(b)(6) DIRECTED TO PLAINTIFFS

PLEASE TAKE NOTICE that pursuant to Fed. R. Civ. P. 30(b)(6), Medtronic Vascular, Inc. and Medtronic USA, Inc. (collectively "Medtronic") will take the deposition of Abbott Cardiovascular Systems Inc. and Abbott Laboratories Inc. (collectively "Plaintiffs") by one or more of its officers, directors, managing agents or other persons who consent to testify on its behalf concerning the matters set forth in Exhibit A.

The deposition will take place at the offices of Gibson, Dunn & Crutcher LLP, One Montgomery Street, Post Montgomery Center, 31st Floor, San Francisco, CA on September 18, 2007 at 9:00 a.m., or some other agreed upon location. Plaintiffs are requested to identify by September 11, 2007, the person(s) who will be designated to testify on the above matters. The deposition will continue from day to day until concluded. The deposition will be recorded stenographically and may be videotaped.

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

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Original Filing Date: August 20, 2007
Redacted Filing Date: September 6, 2007
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EXHIBIT A

TOPICS FOR DEPOSITION

1. Plaintiffs' submissions to the Food and Drug Administration, Federal Trade Commission, Department of Justice, and any similar governmental agency of any European country or body, relating to Stents for the past three years.

2. Plaintiffs' actual, proposed, or contemplated licenses, assignments, technology transfer agreements, settlement agreements, or other agreements since 1997 that license or purport to license to any party the right to make, use, import, or sell any Stent product or the right to use any technology, intellectual property rights, know-how, or trade secrets relating to the design, manufacture, or use of Stents.

[redacted]

5. Public or non-public statements, comments, communications, or marketing materials concerning this action since February 2007, including but not limited to those with Morgan Stanley that relate to this action.

6. Actual and projected sales, profits, and costs for each model of Stent sold or offered for sale, or anticipated to be sold or offered for sale, by Plaintiffs, from 1997 to the present.

7. Plaintiffs' annual share of the total U.S. Stent market, the bare-metal Stent market, and the drug-eluting Stent market, as well as the market share of its competitors, from 1997 to the present.

8. Plaintiffs' April 2006 acquisition of Guidant assets from Boston Scientific, including but not limited to the acquisition of Guidant's vascular intervention business.

9. Plaintiffs' communications with their advisory board relating to Stents since 1997.

10. Plaintiffs' policies and practices relating to the reinvestment of profits into research and development, including but not limited to the reinvestment of profits gained through sales of its bare-metal Stents into research and development of future Stent products.

11. Plaintiffs' ability to recruit and retain employees for its Stent business from 1997 to the present.

12. The recruitment of Plaintiffs' employees by Medtronic since 1997.

13. Plaintiffs' recruitment of Medtronic employees since 1997.

14. Plaintiffs' policies and practices relating to the licensing of intellectual property rights, including but not limited to intellectual property relating to Stent products.

15. Abbott's ability to manufacture, sell, and distribute bare metal Stents in the amount necessary to meet the current and expected market demand for bare metal Stents.

16. The relative safety and efficacy of Plaintiffs' bare metal Stents as compared to other Stents, including other bare metal Stents and drug eluting Stents.

17. Anatomic or physiological issues that can affect the suitability, safety and/or efficacy of Plaintiff's bare metal Stents as compared to other Stents, including bare metal Stents and drug eluting Stents.

18. The reexamination or review of any of the Lau Patents-In-Suit by the United States Patent and Trademark Office.

19. The actions, efforts, or intent by Plaintiffs to extend the term of the Lau Patents-In-Suit.

20. The relationship between the number of manufacturers of Stents and the price of Stents.

21. The relationship and interdependence of the bare metal Stent and drug eluting Stent markets.

[redacted]

23. Any damage to ACS's reputation due to sales of Medtronic's Adjudicated Stents, including but not limited to any goodwill lost by ACS in the eyes of investors.

24. The interchangeability or lack thereof of Medtronic's Stents and any other Stents on the market.

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CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that on September 6, 2007 I electronically filed the foregoing with the Clerk of the Court using CM/ECF which will send notification of such filing to the following:

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